

REMARKS

Claims 83 - 103 are pending. Claims 1 – 82 were previously canceled.

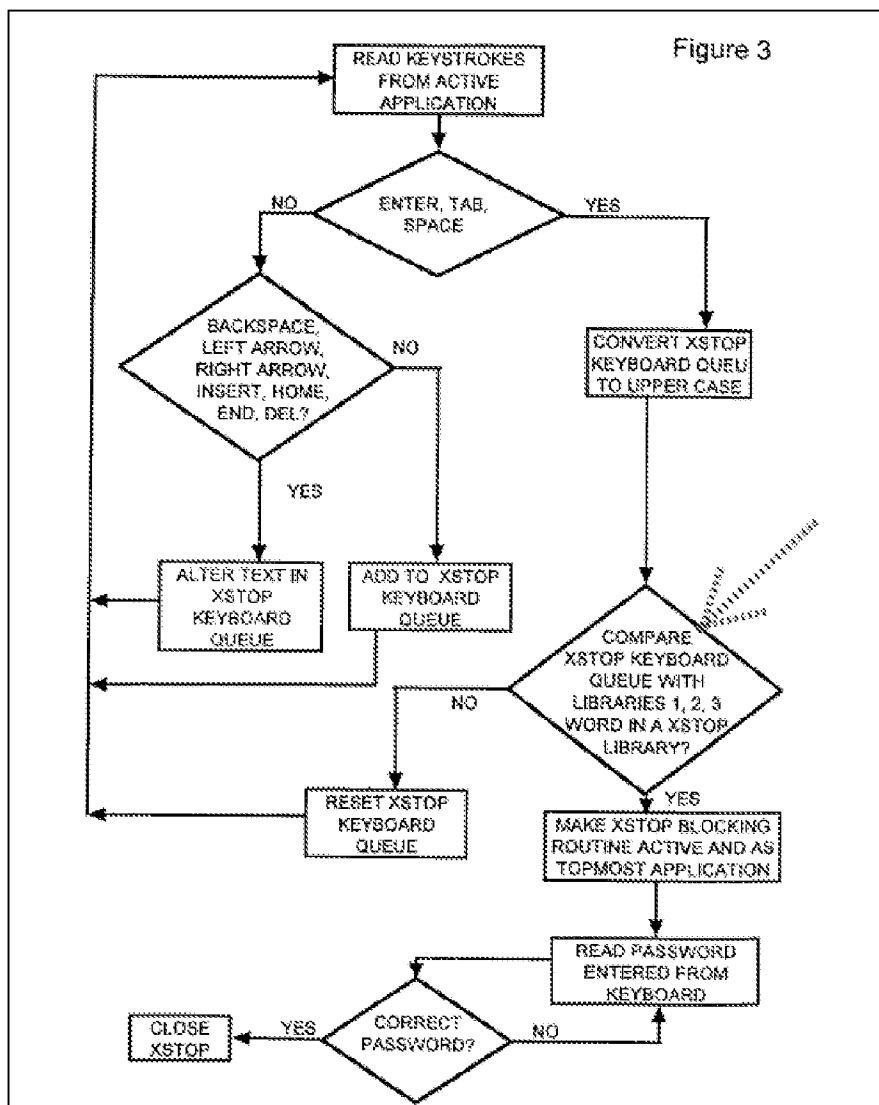
The claims were newly rejected based on Bradshaw (US Patent No. 5,835,722) in the prior Office Action, and also § 101. The Examiner has withdrawn the latter rejections but maintains the Bradshaw reference anticipates the claims.

Applicant has previously explained several deficiencies of Bradshaw, and further illustrates below why the rejection is not well-taken. More specifically, the particular architecture of the Bradshaw reference reveals that it is not inspecting words within a message file; instead, Bradshaw sets up a temporary shadow keyboard buffer and examines only the transitory data that exists in that entity before it ever becomes part of any message file. The data in Bradshaw therefore never becomes part of the message file to be checked.

Because of this fundamental difference, there is simply no basis by which Bradshaw can meet the presented language of the claims. Nonetheless the Applicant appreciates that this distinction can be more clearly defined and has done so now in the present amendment to resolve any remaining potential issue. Under the circumstances Applicant submits that the amendment should be entered because it merely clarifies what is already set out in the claim, namely, that the electronic messages are what is checked, not isolated input that apparently never forms part of the final message file.

Claims 83, 84, 87, 92, 94, 96, 100 and 101 are patentable over Bradshaw

Thus claim 83 has been amended to read that the language filter is for "...checking words *within the email message file*..." and that inspecting/alerting steps are done on words within such email message file as well. In Bradshaw the only "filtering" of the author's creation of content is done at the keyboard queue level, so it cannot meet this language of the claims. See below, where the dashed arrow (added by the applicant to illuminate the present discussion) shows that the only entity being examined by Bradshaw are individual entries as found in a separate XSTOP keyboard queue:



In other

words, Bradshaw is not inspecting or filtering the contents of an email message file; he is merely intercepting characters *before* they become part of such file. This is confirmed at, among other places, col. 8, ll. 24+ and l. 49: "...X-Stop converts the X-Stop keyboard queue to upper-case, and initiates a comparison of the word, i.e., *the character string in the queue*, with the data in the Libraries..." The other mechanism for adding content, namely the clipboard sentinel module, operates in substantially the same fashion: see col. 10, ll. 15 – 33. The data it examines is only part of a temporary queue.

The other significant difference is this: the Examiner states that the Supervisor can usurp the X-Stop monitor and bypass the controls to still send an email message. This is not completely accurate.

There are two scenarios explained by which the Supervisor can disable X-Stop. First, it can be *disabled* by the Supervisor *before it is ever used* to filter characters, as noted in col. 8, ll. 8 -17. After that it cannot be re-invoked unless the system is re-started.

Second, it can be bypassed selectively by the Supervisor by providing the password any time a word is found that triggers the Libraries. See e.g., col. 9, ll. 1 – 10. Once that happens, however, the X-Stop program is again permanently disabled until the computer is re-started.

What this means, beyond the impractical aspects of such type of operation, is that the Supervisor can never actually send an entire email message file that contains content that has triggered the Libraries. This is because, when the Supervisor bypasses the X-Stop sentinel, the file is never actually checked. Thus, in the cases where the Supervisor behaves as the Examiner suggests, the system still does not meet the claim language.

Finally, as noted by the Applicant, Bradshaw does not show “selecting” a language filter. When composing a document, as noted above, there is a keyboard sentinel and a clipboard sentinel, all of which use the same library. In the case noted by the Examiner – namely, a single Library – this filter applies all the time. The user does not have the ability to “select” that Library – it applies whether the user wants it to or not. As explained before, even the supervisor in Bradshaw, if allowed access to the email programs as the Examiner suggests, is not able to select “...a language filter for checking words in the email message file...”

Indeed, the only filter shown in Bradshaw et al. for checking the content of the message is a single default filter (called Library 3) which is used system wide – thus no filter is thus “selected” because it can never be varied/augmented, etc. That is, the users are not allowed to specify *which* filters should be used, including, for example, certain additional customized filters which are described in the present application as desirable for authors.¹

¹ Again the Examiner’s citation to col. 7, ll. 18 – 26 does not show “selecting” a language filter for checking words. This section discusses the Supervisor’s *review* of email which has been characterized by a default filter as containing foul language. Note that these emails, however, can only come from outside the X-stop program
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For these reasons, and for the rationale previously articulated, Applicant submits that the reference does not meet the limitations of independent claim 83. Consequently reconsideration is requested.

Dependent claims 84, 87 and 92 should be allowable for at least the same reasons.

Additional independent claims 94, 96, 100 and 101 should also be allowable for at least the same reasons as claim 83.

Claims 85 and 86 are patentable over Bradshaw in view of Cohen

These claims should be allowable for at least the same reasons as claim 83, from which they depend. Moreover, claim 86 recites that a plurality of filters could be triggered, and the method identifies which one is implicated. There is no such feature in Cohen, which uses a single dictionary.

Claims 88, 89 and 97 are patentable over Bradshaw in view of Stamps

These claims should be allowable for at least the same reasons as claim 83, from which they depend. Moreover, claim 89 recites that the *language filter* has foreign words; the Stamps reference merely explains that the spell checking dictionary may be of a different language. Since Stamps neither teaches nor suggests that it can be used as a foreign language filter, Applicant submits that this very real deficiency as a reference makes its value marginal in combination with Bradshaw. It is not a language “filter” as set out in the claims, and combining it with Bradshaw would not therefore result in the invention of claim 89.

Claims 90, 91, 93, 98 and 99 are patentable over Bradshaw and Russell – Falla

As Bradshaw is again cited here for a proposition that it cannot support, Applicant submits that the rejection cannot stand. It simply does not teach or suggest the limitation of underlying claim 83 from which claims 90, 91 depend.

Again for claims 90, 91 the Examiner suggests that Russell-Falla shows “thresholds” but that fact by itself is only marginally relevant, because the threshold in the reference is set

since all emails within the system cannot be sent at all (the computer is locked down) if they contain offensive language. Thus, the Supervisor only determines if the email should be blocked or not, and cannot “select” the filter, as the latter is universally applied to incoming email.

on a browser, not on an email or other document. Moreover these are not thresholds being used by an author of an email message; they are thresholds being used by a web surfer looking at web pages.

By the Examiner's logic any reference that mentions a threshold in connection with a "dataset" is relevant to the claim, but this is clearly not the standard. That definition dilutes and ignores the entirety of the plain claim language.

Concerning independent claim 93; this claim should be allowable for at least the same reasons as claim 83 based on the distinctions over Bradshaw. Moreover Applicant incorporates by reference the arguments already set forth against the Russel-Falla reference. It does not teach or suggest the limitation of claim 93:

....setting a sensitivity threshold provided by the author to also be used in connection with checking appropriateness of content included in the email message

The Examiner cites col. 5, ll. 33+ of Russel – Falla. Again, see above; the reference says nothing about allowing *authors* to control the content of their messages.

Accordingly this claim is believed to be distinguishable over the cited combination, which does not permit the author of the document to adjust a sensitivity threshold.²

Claims 98 – 99 should be allowable for essentially the same reasons as claim 93.

Claims 95 and 102 - 103 are patentable over Bradshaw taken with Rayson

Independent claim 95 should be allowable for the same reasons as claim 83 previously discussed. Moreover as noted earlier as well, Applicant disagrees with the argument that one skilled in the art would reasonably combine Rayson with Bradshaw. The latter, in fact, insists that input by the author is scanned immediately after it is entered, which is 180 degrees opposite of the technique taught in Rayson. Accordingly the proposed modification would alter Bradshaw in a manner that is inconsistent and incompatible with the latter's teachings.

The Examiner merely states that he "disagrees" with this logic but does not counter it with any facts or logic. Absent some additional showing Applicant maintains that the

² Again no admission or inference should be drawn from the present record as to the nature or scope of other claims issued or pending to the Applicant to such subject matter which do not specifically recite the language at issue here for this claim.

rejection cannot be sustained.

Independent claim 102 should be allowable for the same reasons as claims 83, 94 – 95 and 100 previously discussed, and for the reasons set out in the prior response.

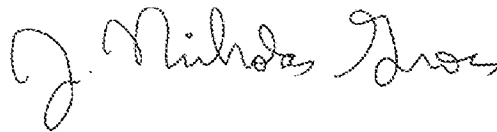
Dependent claim 103 should be allowable for at least the same reasons.

Independent claim 100 should be allowable for the same reasons as claims 83 and 94 – 95 previously discussed. Dependent claim 101 should be allowable for at least the same reasons.

CONCLUSION

The references and rejections have been addressed in detail, and Applicant submits that the Application be sent on for allowance.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "J. Nicholas Gross".

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